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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman  
WILLIAM A. SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES  
BARRY WONG

2006 DEC -5 A 10:42

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
THE ARIZONA DEPARTMENT OF  
TRANSPORTATION TO UPGRADE A  
CROSSING OF THE UNION PACIFIC  
RAILROAD AT 36<sup>th</sup> STREET, IN TUCSON, PIMA  
COUNTY, ARIZONA, AAR/DOT NO. 741-292-U.

DOCKET NO. RR-03639A-06-07<sup>31</sup>3

PROCEDURAL ORDER

**BY THE COMMISSION:**

On November 16, 2006, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Union Pacific Railroad ("Railroad") to upgrade a crossing at 36<sup>th</sup> Street in Tucson, Arizona at AAR/DOT No. 741-292-U.

IT IS THEREFORE ORDERED that the request of the Arizona Department of Transportation shall be considered an application for the Railroad to construct a new public railroad crossing pursuant to A.R.S. § 40-337, et seq.

IT IS FURTHER ORDERED that the **hearing** on the application shall be held on **January 3, 2007, at 9:30 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that within five business days of receipt of this Procedural Order, the Arizona Department of Transportation shall provide the Railroad and the City of Tucson and any other municipality or interested party that may be affected by the application with a copy of the application and this Procedural Order by certified mail.

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Arizona Corporation Commission  
**DOCKETED**

DEC - 5 2006

DOCKETED BY

1 IT IS FURTHER ORDERED that the ARIZONA DEPARTMENT OF  
2 TRANSPORTATION SHALL FILE WITH THE COMMISSION'S DOCKET CONTROL AN  
3 ORIGINAL AND THIRTEEN (13) COPIES OF PROOF OF COMPLIANCE with this  
4 Procedural Order concurrently with the mailing of notice ordered herein.

5 Dated this 5<sup>th</sup> day of December, 2006

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8   
9 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered  
11 this 5<sup>th</sup> day of December, 2006 to:

12 James H. Smith  
13 UNION PACIFIC RAILROAD COMPANY  
10031 Foothills Blvd.  
Roseville, CA 95747


Christopher Kempley, Chief Counsel  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

14 John Syers  
15 Railroad Engineering Coordinator  
16 Arizona Department of Transportation  
205 S. 17<sup>th</sup> Avenue, Mail Drop 618E  
Phoenix, AZ 85007

Brian Lehman, Chief  
Railroad Safety Section  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

17 David Gibson  
18 Arizona Department of Transportation  
19 Traffic Records Section  
206 S. 17th Avenue, Mail Drop 064R  
Phoenix, AZ 85007

ARIZONA REPORTING SERVICE, INC.  
2627 N. Third Street, Ste. Three  
Phoenix, Arizona 85004-1126

21 By:   
22 Debbi Person  
23 Secretary to Marc E. Stern  
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